



STATE OF WASHINGTON
**APPLICATION FOR CHANGE/TRANSFER
OF WATER RIGHT**



For filing with the Department of Ecology or with County Conservancy Boards

**A NON-REFUNDABLE MINIMUM FEE OF \$50.00 PAYABLE TO THE DEPARTMENT OF
ECOLOGY MUST ACCOMPANY THIS APPLICATION**

(Check all that apply.)

- ☒ Change purpose(s) of use
☐ Add purpose(s) of use
☐ Change point(s) of diversion/withdrawal
☐ Add point(s) of diversion/withdrawal
☒ Change/transfer place of use
☒ Other (i.e. consolidation, intertie, trust water)

Explain: Proposed transfer of irrigation water right to trust water right program for instream flow enhancement use.

JES OK-EG 4/3/06		FOR OFFICE USE ONLY		YAKIMA
CHANGE No. 054-01603 CTCL		WRIA 37		
DATE ACCEPTED 04/06/06		BY [Signature]		
FEE \$ 50.00		REC'D 3 / 31 / 06		
CHECK No. 121				
SEPA: <input type="checkbox"/> Exempt <input type="checkbox"/> Not exempt				FM

****IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS (PLEASE PRINT OR TYPE CLEARLY)****

1. Applicant Information:

APPLICANT/BUSINESS NAME United States Bureau of Reclamation	PHONE NO. (509) 575-5848, ext. 281	FAX NO. (509) 454-5611
ADDRESS 1917 Marsh Road		
CITY Yakima	STATE WA	ZIP CODE 98901-2058
CONTACT NAME (IF DIFFERENT FROM ABOVE) James Esget or Stan Isley at USBR	PHONE NO. (509) 575-5848, ext. 281 (Stan) or ext. 267 (Jim)	FAX NO. (509) 454-5611
ADDRESS 1917 Marsh Road		
CITY Yakima	STATE WA	ZIP CODE 98901-2058

FOR OFFICE USE ONLY

APP. NO. _____ PERMIT NO. _____ CERT. NO. _____ CERT. OF CHANGE NO. _____

SUB 24 MEXEE

054-01603 CTCL

2. Water Right Information:

WATER RIGHT OR CLAIM NUMBER Court Claim No. 01603	RECORDED NAME(S) Eldon H. and Erliss L. McCormack
DO YOU OWN THE RIGHT TO BE CHANGED? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
IF NO, PROVIDE OWNER(S) NAME and ADDRESS: USBR purchased the McCormack property and water right in April 2002	
HAS THE WATER BEEN PUT TO BENEFICIAL USE IN THE LAST FIVE (5) YEARS? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	

Please attach copies of any documentation that demonstrates consistent, historical use of water since the right was established. Also, if you have a water system plan or conservation plan, please include a copy with your application.

3. Point(s) of Diversion/Withdrawal:

A. Existing

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
Yakima River:		NE	NW	28	13N.	19E.		
Blue Slough:		G.L.	4	4	12N.	19E.		

B. Proposed

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
Same								

DO YOU OWN THE EXISTING AND PROPOSED POINT(S) OF DIVERSION/WITHDRAWAL?
EXISTING: ☐ YES ☐ NO PROPOSED: ☐ YES ☐ NO – IF NO, PROVIDE OWNER(S) NAME:

Please include copies of all water well reports involved with this proposal. Also, if you know the distances from the nearest section corner to the above point(s) of diversion/withdrawal, please include that information in Item No. 6 (remarks) or as an attachment.

4. Purpose of Use:

A. Existing

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE
Irrigation of 10 acres and stock water	0.20 cfs	60 af/yr	April 1 through Oct. 31

B. Proposed

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE
Instream flow enhancement trust water right use	0.20 cfs	60 af/yr	April 1 through Oct. 31

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Please attach copies of any documentation that demonstrates consistent, historical use of water since the right was established. Also, if you have a water system plan or conservation plan, please include a copy with your application.

3. Point(s) of Diversion/Withdrawal:

A. Existing

SOURCE	NO.	1/4	1/4	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
Yakima River:		NE	NW	28	13N.	19E.		
Blue Slough:		G.L.	4	4	12N.	19E.		

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B. Proposed

SOURCE	NO.	1/4	1/4	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
Same								

DO YOU OWN THE EXISTING AND PROPOSED POINT(S) OF DIVERSION/WITHDRAWAL?
EXISTING: ☐ YES ☐ NO PROPOSED: ☐ YES ☐ NO – IF NO, PROVIDE OWNER(S) NAME:

Please include copies of all water well reports involved with this proposal. Also, if you know the distances from the nearest section corner to the above point(s) of diversion/withdrawal, please include that information in Item No. 6 (remarks) or as an attachment.

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B. Proposed

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE
Instream flow enhancement trust water right use	0.20 cfs	60 af/yr	April 1 through Oct. 31

5. Place of Use:

A. Existing

LEGAL DESCRIPTION OF LANDS WHERE WATER IS PRESENTLY USED:

That portion of the North 1400 feet of the W $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 4, T. 12 N., R. 19 E.W.M., lying west of Blue Slough and east of an unnamed slough.

$\frac{1}{4}$	$\frac{1}{4}$	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
<u>W$\frac{1}{2}$</u>	<u>NW$\frac{1}{4}$</u>	<u>4</u>	<u>12N.</u>	<u>19E.</u>	<u>Yakima</u>		<u>10</u>

DO YOU OWN ALL THE LANDS IN THE EXISTING PLACE OF USE? ☐ YES ☐ NO – IF NO, PROVIDE OWNER(S) NAME:

B. Proposed

LEGAL DESCRIPTION OF LANDS WHERE NEW USE IS PROPOSED:

Instream flow use in Blue Slough through the former McCormack Property, then instream flow use in Blue Slough down-slough of the McCormack property to Blue Slough's confluence with the Yakima River, then instream flow enhancement use in the Yakima River from the confluence of Blue Slough, downriver all the way to the confluence of the Yakima River with the Columbia River.

$\frac{1}{4}$	$\frac{1}{4}$	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
					<u>Yakima & Benton</u>		

DO YOU OWN ALL THE LANDS IN THE PROPOSED PLACE OF USE? ☐ YES ☒ NO – IF NO, PROVIDE OWNER(S) NAME:

Attach a detailed map of your proposed change/transfer. The map should show existing and proposed point(s) of diversion/withdrawal, place of use and any other features involved with this application. If platted property, please include a certified copy of the plat map.

Are there any ADDITIONAL WATER rights OR CLAIMS RELATED to the same property as the ONE PROPOSED FOR CHANGE/TRANSFER?
☐ YES ☒ NO – IF YES, PROVIDE THE WATER RIGHT/CLAIM NUMBER(S):

6. Remarks and Other Relevant Information:

Under the Yakima River Basin Water Enhancement Program's Water and Land Acquisition Program authority, Reclamation purchased the former McCormack property and water right on 4-2-01. The purchased land totals 145.93 acres and includes a 10-acre irrigation water right (and stock water) from the Yakima River/Blue Slough from April 1 through October 31 each year. The McCormack water right was confirmed by the Yakima Adjudication Court, by its Conditional Final Order dated May 9, 2002, for 0.20 cfs, 60 af/yr

of water, with a November 4, 1886 date of priority. Reclamation requests transfer of this irrigation water right to the State Trust Water Rights Program, according to the provisions in the to-be-entered Memorandum of Agreement between Reclamation and Ecology regarding management of YRBWEP-acquired water rights as instream flow enhancement water rights under the State Trust Water Right Program. Said MOA provisions will define long-term transfer of the rights to the trust program, but ownership retention by the U.S. Government. This request is for the entire amount of the YRBWEP/former McCormack water right to be diverted into Blue Slough and carried down Blue Slough to the YRBWEP/former McCormack property, where the water right will NOT be diverted out of Blue Slough. The water right will be retained instream in Blue Slough as an instream flow enhancement twr. At the down-slough end of the McCormack property, Reclamation requests that the former consumptive-use portion of this water right then be transferred to and protected as an instream flow enhancement twr down to the confluence of Blue Slough with the Yakima River, then continuing downstream in the Yakima River to the Yakima River's confluence with the Columbia River.

Please contact Stan Isley for any additional information needed to process this application for change of water right - at (509) 575-5848, ext. 281.

IF FOR SEASONAL OR TEMPORARY, START DATE ____/____/____ END DATE ____/____/____

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IF FOR SEASONAL OR TEMPORARY, START DATE ____/____/____ END DATE ____/____/____

Certain applications may incur a Real Estate Excise Tax liability for the seller of the water rights. The Department of Revenue has requested notification of potential taxable water right related actions and therefore may be provided with a copy of this request.

Please contact the State Department of Revenue for further information. The phone number is (360) 570-3265. The address is: Department of Revenue, Real Estate Excise Tax, PO Box 47477, Olympia, WA 98504-7477.

7. Signatures:

I certify that the information above is true and accurate to the best of my knowledge. I understand that in order to process my application, I am hereby granting staff from the Department of Ecology or the County Conservancy Board access to the above site(s) for inspection and monitoring purposes. If assisted in the preparation of the above application, I understand that all responsibility for the accuracy of the information rests with me.

Jeff Graham
(Applicant)

3/31/2006
(Date)

Jeff Graham
(Water Right Holder)

3/31/2006
(Date)

Jeff Graham
(Land Owner(s) of Existing Place of Use)

3/31/2006
(Date)

Jeff Graham for James Esget
Manager - Yakima River Basin Water Enhancement Project

IMPORTANT! APPLICATION FILING INFORMATION IS PROVIDED ON THE NEXT PAGE.

WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):

- | | |
|---|---|
| <input type="checkbox"/> APPLICATION FEE NOT ENCLOSED | <input type="checkbox"/> MAP NOT INCLUDED or INCOMPLETE |
| <input type="checkbox"/> ADDITIONAL SIGNATURES REQUIRED | <input type="checkbox"/> SECTION _____ IS INCOMPLETE |
| <input type="checkbox"/> OTHER/EXPLANATION: _____ | |

STAFF: _____ DATE: ____/____/____